



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
BROOKFIELD PLACE
200 VESEY STREET, STE. 400
NEW YORK, NY 10281-1022

PHILIP MOUSTAKIS
SENIOR COUNSEL
212-336-0542
moustakisp@sec.gov

February 20, 2018

VIA ECF AND EMAIL

The Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Re: SEC v. Stefan Lumiere, 16 Civ. 4513 (KPF)

Dear Judge Failla:

Please find enclosed the Consent of Defendant Stefan Lumiere (“Lumiere”) and a proposed Final Judgment.¹ For the reasons set forth below, Plaintiff Securities and Exchange Commission (“Commission”) respectfully requests the Court enter the proposed Final Judgment.

On June 15, 2016, the Commission filed this action against Lumiere for his role in a scheme to defraud affiliated private funds he advised. On January 19, 2017, Lumiere was convicted after trial by jury on related criminal charges and, on June 16, 2017, he was sentenced to eighteen months in prison to be followed by three years’ supervised release and a \$1 million fine. In this action, Lumiere has agreed to entry of the proposed Final Judgment permanently enjoining him from violations of Section 10(b) of the Securities and Exchange Act of 1934 and Rule 10b-5 thereunder, and Sections 206(1), 206(2), and 206(4) of the Investment Advisers Act of 1940 and Rule 206(4)-8 thereunder. The proposed Final Judgment does not include disgorgement because Lumiere did not receive the proceeds of his fraudulent conduct, or a civil penalty in light of Lumiere’s imprisonment and fine.

We are available for a conference should the Court have any further questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Philip Moustakis".

Philip Moustakis

cc: Jeffrey Einhorn, Counsel to Stefan Lumiere (via email)

¹ An electronic copy of the proposed Final Judgment has been submitted by email to the Judgment Clerk of the Court, in accordance with ECF Rule 18.2.